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HONEYWELL INTERNATIONAL INC.  
15801 WOODS EDGE ROAD  
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**OFFICE OF PETITIONS**

In re Application of :  
Edward Peter Socci, et. al. :  
Application No. 09/288,589 :  
Filed: April 8, 1999 :  
Attorney Docket No. 30-4424 :

This is a decision on the petition under 37 CFR 1.137(b), filed July 14, 2004, to revive the above-identified application.

The above-identified application became abandoned for failure to submit the issue fee in a timely manner in reply to the Notice of Allowance mailed April 6, 2004, which set a statutory period for reply of three (3) months. Accordingly, the above-identified application became abandoned after midnight July 6, 2004.

In response, petitioner submitted with the instant petition an authorization to charge \$1,330 for the petition to revive fee and \$1,330 for the issue fee. As authorized, these fees have been charged to the listed deposit account contained in the instant petition.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Since the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), the statement is being construed as the statement required by 37 CFR 1.137(b)(3) and petitioner must notify the Office if this is **not** a correct interpretation of the statement.

The petition is **GRANTED**.

The application file is being referred to the Office of Publications for review of the nine (9) sheets of Formal Drawings filed April 21, 2004, containing Figures 1-9.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.

Andrea Smith  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy